

The opinion in support of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 38

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte RONALD S. INDECK

Appeal No. 2001-2402
Application No. 08/422,849¹

ON BRIEF

Before RUGGIERO, DIXON, and SAADAT, Administrative Patent Judges.
SAADAT, Administrative Patent Judge.

DECISION ON APPEAL

This is a decision on appeal from the Examiner's final rejection of claims 1, 2, 4-8, 16-21, 23-25 and 28-31. Claims 3, 9-15, 22, 26, 27 and 32-44 have been canceled.

We reverse.

BACKGROUND

Appellant's invention is directed to the configuration of read and write transducers arranged on a magnetic recording head for accurately reading and writing narrow tracks. During each

¹ Application for patent filed April 17, 1995, which is a continuation-in-part of Application No. 08/100,567, filed July 30, 1993, now abandoned.

read and write operation, the read transducers are positioned on the recording head such that one read transducer always tracks a servo track (specification, page 2). According to Appellant, by spacing the write and read transducers uniformly but at different intervals, a read transducer is always indexed over a servo track and another read transducer is also indexed immediately to the right or left of other servo tracks (specification, page 4). Thus, accurate transducer positioning and tracking as well as maximizing the useable space on the magnetic medium can be achieved (id.).

Representative independent claims 1 and 16 are reproduced below:

1. A magnetic recording head, comprising:

a plurality of write transducers configured both for writing a plurality of servo tracks simultaneously on a magnetic medium and for writing a plurality of data tracks on the magnetic medium, said servo tracks and said data tracks each having substantially the same width; and

a plurality of read transducers configured for tracking the servo tracks as the write transducers write the data tracks, wherein the write transducers are equally spaced cross-track from one another, the read transducers are equally spaced cross-track from one another, and the cross-track spacing between said write transducers is different from the cross-track spacing between said read transducers.

16. A method for using a magnetic recording head having a plurality of read transducers and a plurality of write transducers, comprising the steps of:

writing a plurality of servo tracks simultaneously with the write transducers; and

writing a plurality of data tracks with the write transducers while at least one of the read transducers tracks one of the servo tracks, said servo tracks and said data tracks each having substantially the same width.

The Examiner relies on the following reference in rejecting the claims:

Crouse et al (Crouse)	4,613,915	Sep. 23, 1986
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Claims 1, 2, 4-8, 16-21, 23-25 and 28-31 stand rejected under 35 U.S.C. § 102(b) as being anticipated by Crouse.

We make reference to the answer (Paper No. 35, mailed February 27, 2001) for the Examiner's complete reasoning in support of the rejection, and to the appeal brief (Paper No. 34, filed December 5, 2000) and the reply brief (Paper No. 36, filed May 1, 2001) for Appellant's arguments thereagainst.

OPINION

Appellant points out that claims 1 and 16 require a magnetic recording head wherein the same plurality of write transducers write both servo tracks and data tracks (brief, pages 6 & 7). Appellant further points to Figure 6 of Crouse and asserts that transducers 4 arranged on head slider 33 are configured to both

write and read data tracks, but not to write servo tracks (brief, page 7 and reply brief, page 2). Further referring to column 10, lines 39-46 of Crouse and Figure 6, Appellant points out that Crouse discloses a separate servo track writing transducer "servo writer" that is exclusively used for writing servo tracks (brief, pages 7 & 8). Appellant also indicates that the specific claimed spacing between the write transducers and the read transducers is not disclosed in Crouse since the prior art reference uses twin read/write heads that read and write pairs of data tracks (brief, page 9). Additionally, Appellant argues that since the same head is used for read and write, contrary to the claimed spacing requirement, the cross-track spacing between these read transducers must necessarily be the same as that of the write transducers (brief, page 10 and reply brief, page 4).

In response to Appellant's arguments, the Examiner asserts that Crouse discloses "a group of ganged multi (plurality) write transducers that are configured to write a plurality of servo tracks and write a plurality of data tracks" (answer, page 8). The Examiner apparently relies on column 10, lines 47-62 and column 11, lines 25-31 to conclude that the "servo writer" and the read-write transducers of Crouse are the same (answer, page 4). The Examiner also argues that the spacing between the write

and read transducers are disclosed by Crouse, as shown in Figures 1 and 2a, to be equal (answer, pages 8 & 9). In particular, the Examiner asserts that because of the channel spacing and the existence of gap 7 between the magnetic sensors, "the cross-track spacing between the write head and the read head will be different in the channel cross-track spacing arrangement and the spacing cross the track" (answer, page 9).

A rejection for anticipation under section 102 requires that the four corners of a single prior art document describe every element of the claimed invention, either expressly or inherently, such that a person of ordinary skill in the art could practice the invention without undue experimentation. See Atlas Powder Co. v. IRECO Inc., 190 F.3d 1342, 1347, 51 USPQ2d 1943, 1947 (Fed. Cir. 1999); In re Paulsen, 30 F.3d 1475, 1478-79, 31 USPQ2d 1671, 1673 (Fed. Cir. 1994).

After a review of Crouse, we agree with Appellant's assertion that Crouse uses different transducers for writing data tracks and servo tracks whereas claims 1 and 16 clearly require that the same write transducers be used for writing data tracks and servo tracks. In that regard, Crouse merely provides for "servo writer" transducers that are dedicated to writing only the servo tracks (col. 10, lines 32-62). We find the Examiner's

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characterization of different transducers used for read/write and servo writing to be unsupported by any teaching in Crouse. Additionally, the different spacing that the Examiner relies on in Figures 1 and 2a, although appears to be equal across the tracks both for the data tracks and servo tracks, have also cross-track spacing that appears to be identical as they alternate (col. 5, lines 33-49). Thus, Crouse further fails to disclose the specific recited spacing such that the cross-track spacing between the write transducers is different from the cross-track spacing between the read transducers, as required by claim 1. Accordingly, Crouse does not anticipate claims 1 and 16, and the 35 U.S.C. § 102 rejection of claims 1, 2, 4-8, 16-21, 23-25 and 28-31 over Crouse cannot be sustained.

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CONCLUSION

In view of the foregoing, the decision of the Examiner
rejecting claims 1, 2, 4-8, 16-21, 23-25 and 28-31 under
35 U.S.C. § 102 is reversed.

REVERSED

JOSEPH F. RUGGIERO)	
Administrative Patent Judge)	
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)	BOARD OF PATENT
JOSEPH L. DIXON)	APPEALS
Administrative Patent Judge)	AND
)	INTERFERENCES
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)	
MAHSHID D. SAADAT)	
Administrative Patent Judge)	

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THOMPSON COBURN, LLP
ONE U.S. BANK PLAZA
STE. 3500
ST. LOUIS, MO 63101